

JAMES R. GREINER, ESQ.
CALIFORNIA STATE BAR NUMBER 123357
LAW OFFICES OF JAMES R. GREINER
555 UNIVERSITY AVENUE, SUITE 290
SACRAMENTO, CALIFORNIA 95825
TELEPHONE:(916) 649-2006
FAX: (916) 920-7951

ATTORNEY FOR DEFENDANT
LIBORIO RUIZ LOPEZ, JR.

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	CR.-S-03-362-GEB
PLAINTIFF,)	STIPULATION AND PROPOSED ORDER
v.)	TO CONTINUE STATUS CONFERENCE
LIBORIO RUIZ LOPEZ, JR.,et al.,)	
DEFENDANTS.)	

Plaintiff United States of America, by its counsel, Assistant United States Attorney, Mr. Phillip A. Talbert, and defendant Liborio Ruiz Lopez, Jr., by his counsel James R. Greiner, hereby stipulate and agree that the status conference calendared for **Friday, February 3, 2006, at 9:00 a.m.** before the Honorable District Court Judge Garland E. Burrell, Jr. shall be continued to **Friday, March 24, 2006, at 9:00 a.m.**

Time can be excluded from the speedy trial act due to the fact that the government and the defendant are continuing in the process of discussions and negotiations in a good faith effort and attempt to resolve this matter short of trial; the co-defendant in this case has already pled guilty and is set for sentencing on February 3, 2006, which sentencing may have an impact on plea discussions between the parties and all counsel need that time to ensure the co-defendant's sentencing does go forward as all counsel believe it will; the government and the defense continue to have discussions

1 regarding this case and have had face to face meetings which were very productive and both sides are
2 diligently working toward a resolution in this case short of trial; the additional time is needed to
3 accomplish the details of resolving this case short of trial; investigation by the parties is on going
4 during the good faith efforts at negotiating a resolution short of trial; the parties have been sharing
5 information and continue to share information in the on going good faith efforts at resolving this
6 matter; when new information is presented it is being investigated by both sides.

7 The parties stipulate and agree that time shall be excluded **through Friday, March 24, 2006,**
8 **under Title 18 section 3161(h)(8)(B)(ii) and Local Code T-4.**

9 Respectfully submitted,

10 MCGREGOR W. SCOTT
11 UNITED STATES ATTORNEY

12 /s/ PHILLIP A. TALBERT by telephone authorization

13 DATED: 2-2-06

14 PHILLIP A. TALBERT
ASSISTANT UNITED STATES ATTORNEY
ATTORNEYS FOR THE PLAINTIFF

15 /s/ JAMES R. GREINER

16 DATED: 2-2-06

17 JAMES R. GREINER
ATTORNEY FOR DEFENDANT LOPEZ, JR.

18 **ORDER**

19 **FOR GOOD CAUSE SHOWN, IT IS SO ORDERED.**

20 Dated: February 9, 2006

21 /s/ Garland E. Burrell, Jr.
22 GARLAND E. BURRELL, JR.
23 United States District Judge
24
25
26
27
28